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E-FILED - 6/17/09

Attorneys for Plaintiff
ACTUATE CORPORATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ACTUATE CORPORATION, a Delaware corporation,)	CASE NO. 08 CV 5076 RMW
)	
Plaintiff,)	STIPULATION AND [
)	ORDER OF DISMISSAL WITH
v.)	PREJUDICE
)	
FEDERAL HOME LOAN MORTGAGE CORPORATION, a federally-chartered corporation,)	
)	
Defendant.)	

IT IS HEREBY STIPULATED by and between Plaintiff Actuate Corporation and Defendant Federal Home Loan Mortgage Corporation, the parties to the above-entitled action, that, pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, the above-captioned action is hereby dismissed with prejudice in its entirety. Each party shall bear its own costs and fees.

1 Dated: June 8, 2009

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

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3
4 By: /s/
James A. DiBoise

5 Attorneys for Plaintiff Actuate Corporation

6 Dated: June 8, 2009

MORRISON & FOERSTER LLP

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8
9 By: /s/
Michael A. Jacobs

10 Attorneys for Defendant
11 Federal Home Loan Mortgage Corporation

12 I, James A. DiBoise, am the ECF User whose ID and password are being used to file this
13 **STIPULATION AND [PROPOSED] ORDER OF DISMISSAL WITH PREJUDICE.** In
14 compliance with General Order 45, X.B., I hereby attest, through my signature above,
15 that Michael A. Jacobs concurred in this filing.

16 IT IS SO ORDERED.

17
18 Dated: 6/17/09

By: *Ronald M. Whyte*
Hon. Ronald M. Whyte
United States District Court Judge